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944-001.065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of :  
 M. Salmi et al :  
 Serial No. 10/099,853 :  
 Filed: March 13, 2002 : Group Art Unit: 2185  
 For: SEPARATION OF INSTANT MESSAGING  
 USER AND CLIENT IDENTITIES

**FACSIMILE PETITION FOR RETROACTIVE LICENSE  
 UNDER 37 CFR 5.25**

Assistant Commissioner for Patents  
 U.S. Patent and Trademark Office  
 Washington, D.C. 20231

Sir:

This is a petition for retroactive license under 35 U.S.C. § 184 presented in accordance with 37 CFR 5.25 and 5.14(a). It includes:

- (1) an identification of each of the foreign countries (IB of WIPO only) in which the unlicensed part of the patent application material was filed,
- (2) the dates on which the material was filed in each country (March 13, 2002),
- (3) a verified statement in the form of a declaration enclosed containing

**CERTIFICATION OF FACSIMILE TRANSMISSION**

04/04/2003 DBATES

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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Marilyn O'Connell  
 Marilyn O'Connell

April 2, 2003  
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(i) an averment that the subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order,

(ii) by showing the license has been diligently sought after discovery of the proscribed foreign filing, and

(iii) an explanation of why the material was filed abroad through error and without deceptive intent without the required license under 37 CFR 5.11 first having been obtained, and

(4) the required fee (\$130) under 37 CFR 1.17(h).

Petition is hereby made for a retroactive license under 35 U.S.C. § 184 after having complied with the requirements of 37 CFR 5.25. Granting of the petition is hereby requested.

The Commissioner is hereby requested to charge our Deposit Account No. 23-0442 for this fee.

Respectfully submitted,



Francis J. Maguire  
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/mo  
April 2, 2003  
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